

proceedings. As the Commission has recognized, state proceedings demonstrating a commitment to advancing the pro-competitive purposes of the Act serve a vitally important role in the section 271 process.”). Especially in light of the substantial steps that BellSouth has taken here, the Commission should confidently rely on the state commissions to ensure that BellSouth continues to provide CLECs with meaningful assistance through the CCP process.

**D. Double FOCs Create No Significant Concern, and BellSouth Has Recently Corrected All Known Defects That Created the Need for Them**

The Staff’s final OSS concern involves a software glitch that led to CLECs receiving “double FOCs” – that is, two firm order confirmations for the same service order. This issue affects a very small – and declining – number of orders (approximately 2% in January 2002). *See Stacy/Varner/Ainsworth Joint Supp. Aff.* ¶¶ 145, 149. BellSouth, moreover, recently implemented software enhancements to reduce these occurrences even further. *See id.* ¶ 146.

As BellSouth has previously explained to the Commission, because of a coding issue, in some small number of instances CLECs submitting fully mechanized resale and UNE-P non-dispatch orders have initially received due dates that were longer than necessary. *See, e.g.,* Letter from Sean A. Lev, Counsel for BellSouth, to Magalie Roman Salas, Secretary, FCC, CC Docket No. 01-277, Attach. at 8-9 (FCC filed Nov. 30, 2001). To address this problem, and to ensure that CLECs had the benefit of the earlier due date, BellSouth instituted a fully mechanized work-around process to alert CLECs to the proper due date. *See Stacy/Varner/Ainsworth Joint Supp. Aff.* ¶ 145. BellSouth’s work-around involves electronically issuing a second FOC with the correct due date.

Importantly, to minimize any CLEC inconvenience, BellSouth electronically issues that second FOC very quickly – almost always within a matter of hours from the issuance of the original FOC. *See id.* ¶ 148.

BellSouth has worked hard to ensure that any inconvenience associated with this mechanized work-around exists for only a small and declining number of orders. As explained in the Stacy/Varner/Ainsworth Joint Supplemental Affidavit, the percentage of orders affected by this issue has consistently declined over recent months to the point that it affected only approximately 2% of January 2002 orders. *See id.* ¶ 149. Under no theory does such a low-level concern affecting so few orders deprive CLECs of a meaningful opportunity to compete. *See, e.g., Arkansas/Missouri Order*<sup>20</sup> ¶¶ 33-35 (even where there were “legitimate” CLEC complaints about their ability to open electronic trouble tickets for new UNE-P customers, Commission found no adverse competitive impact where “errors are extremely small in number and can readily be resolved by manual processing”).

That does not mean, however, that BellSouth takes this issue lightly. On the contrary, in February 2002, BellSouth implemented software enhancements that are designed to correct all known system defects in the due-date calculator. *See Stacy/Varner/Ainsworth Joint Supp. Aff.* ¶ 146. These enhancements provide yet more evidence that BellSouth is committed to addressing all legitimate concerns raised by CLECs.

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<sup>20</sup> Memorandum Opinion and Order, *Joint Application by SBC Communications Inc., et al., Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services In Arkansas and Missouri*, CC Docket No. 01-194, FCC 01-338 (rel. Nov. 16, 2001).

## II. BELLSOUTH'S PERFORMANCE DATA ARE ACCURATE AND RELIABLE

Because extensive competition exists in both Georgia and Louisiana, BellSouth has consistently relied on actual performance data – the “most probative” form of evidence – to show that it meets all legal requirements for section 271 approval. *Connecticut Order*<sup>21</sup> App. D ¶ 32. It is thus important that the data that BellSouth report provide a meaningful yardstick for BellSouth’s performance. However, with an undertaking as enormous as BellSouth’s production of 2,200 performance metrics for both Georgia and Louisiana, the data cannot – and need not – be perfect. Nevertheless, it is important that the Commission have confidence that the data provide a meaningful sense of BellSouth’s performance. *See Texas Order* ¶ 57.

The Commission should have significant confidence in BellSouth’s performance data. With this application, BellSouth is providing the most thorough demonstration that any BOC has ever submitted that its data are “meaningful, accurate, and reproducible.” *Id.* ¶ 428.

As an initial matter, the issue that originally raised the Staff’s concern about BellSouth’s performance metrics has dissipated. BellSouth voluntarily refiled and reposted data for some metrics in the data months that BellSouth relied upon in its October 2001 application. These repostings (many of which involved a single metric, flow-through) led to some concern about the stability of BellSouth’s data. There is no longer a basis for such concern. As the Varner Supplemental Affidavit demonstrates, BellSouth has not needed to restate a single performance metric since August 2001. *See*

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<sup>21</sup> *See* Memorandum Opinion and Order, *Application of Verizon New York, Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Connecticut*, 16 FCC Rcd 14147 (2001).

*Varner Supp. Aff.* ¶ 25. Moreover, even when it did repost data in the summer of 2001, such repostings affected a parity determination for less than 1% of metrics. *See id.* ¶¶ 24, 27.<sup>22</sup>

The Commission need not rely on the stability of recent data alone, however. BellSouth is also submitting with this application the results of KPMG's interim audit report, which was submitted to the GPSC on February 11, 2002. *See Varner Supp. Aff.* Exh. PM-13.

That report strongly confirms that the data BellSouth is reporting are accurate and reliable. The new KPMG report explains the status of KPMG's *three* separate audits of BellSouth's performance data. Those audits are more thorough and detailed than third-party reviews that this Commission has previously relied upon. *See Varner Supp. Aff.* ¶ 11. Among other things, KPMG's audits are designed to review BellSouth's data collection and storage practices, confirm BellSouth's compliance with the metrics established by the GPSC, ensure the integrity of BellSouth's procedures for processing data, and validate the accuracy of the reported performance results. *Id.* ¶¶ 35-40.

KPMG's report leaves no doubt as to the overall reliability of BellSouth's performance data. As the report explains, the first two KPMG audits are now complete. In the first audit, BellSouth met 408 of 417 criteria – nearly 98%. *See id.* ¶ 49. There are only three outstanding exceptions, which relate nearly exclusively to a minor timestamp

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<sup>22</sup> There is of course nothing new about a BOC restating corrected data – each BOC with 271 approval has done so in the past. *See, e.g.,* Arkansas Affidavit of William R. Dysart ¶ 46, *Joint Application of SBC Communications Inc., et al., for Provision of In-Region, InterLATA Services in Arkansas and Missouri*, CC Docket No. 01-194 (FCC filed Aug. 20, 2001); Joint Reply Declaration of Elaine M. Guerard, Julie A. Canny, and Marilyn C. DeVito ¶ 33, *Application by Verizon Pennsylvania Inc., et al., for Authorization To Provide In-Region, InterLATA Services in Pennsylvania*, CC Docket No. 01-138 (FCC filed Aug. 6, 2001).

issue that does not cast any doubt on the basic accuracy of BellSouth's data. *See id.* ¶ 51.

In the second audit, BellSouth has satisfied *every* evaluation criterion. *See id.* ¶ 55.

Again, that fact provides an important reason to conclude that BellSouth's data are meaningful and reliable. While the third audit is still ongoing, the results to date provide nothing that would remotely call into question the basic reliability of BellSouth's data.

*See id.* ¶¶ 56-62.

Taken together, these audits convincingly establish that BellSouth's reported data are meaningful. *First*, KPMG has now audited BellSouth's data collection and storage practices (test segment PMR-1) twice and is 90% complete with the third audit. *See id.* ¶ 36. Both Audit I and Audit II closed with all of the evaluation criteria associated with this issue being satisfied. *See id.* There are no outstanding exceptions in Audit III relating to data collection and storage. *See id.*

*Second*, KPMG has evaluated BellSouth's metrics definitions and standards documentation, as well as its related policies and practices (test segment PMR-2) in all three audits. *See id.* ¶ 37. Audit I has only one outstanding exception that, as discussed in the Varner Supplemental Affidavit, has a very minimal impact on reported results; Audit II closed with all evaluation criteria satisfied; and Audit III is 95% complete with Month I data and 88% complete with Month II data. *See id.* ¶¶ 37, 51.

*Third*, KPMG thoroughly evaluated BellSouth's key procedures for processing the data necessary to produce its performance measures and the integrity of the processed data (test segment PMR-4). *See* ¶ 39. Audit I has only two open exceptions, both of which, as explained in the Varner Supplemental Affidavit, have minimal impact on the results (indeed, one involves a discrepancy of less than one hundredth of a second). *See*

*id.* ¶¶ 39, 51. Audit II closed with all evaluation criteria satisfied. *See id.* ¶ 39. Of the 38 metrics where testing has been started in Audit III, or completed in Audit I or II, 61% of the measures have satisfied the evaluation criteria and are complete. *See id.*

*Fourth*, KPMG has replicated BellSouth's reported results in all three audits to assess the accuracy and completeness of reported performance measure disaggregation levels and to determine whether there is agreement between KPMG results and BellSouth results (test segment PMR-5). *See id.* ¶ 40. KPMG closed Audits I and II with all evaluation criteria "satisfied." *See id.* For Audit III, 44 measures (between Audits II and III) have met the evaluation criteria for Month I; 43 (between Audits II and III) have met the evaluation criteria for Month II; and 42 (between Audits II and III) have met the evaluation criteria for Month III. *See id.*

Nor are these the only reasons to trust BellSouth's data. Both the GPSC and the LPSC, the independent regulatory bodies that established BellSouth's reporting requirements and that monitor BellSouth's performance on a day-to-day basis, have stated unequivocally that BellSouth's data are reliable. The GPSC has explained that there is "reasonable assurance that the data will be reported in a consistent and reliable manner." *GPSC Comments* at 221 (quoting *New York Order* ¶ 441); *see GPSC Reply Comments* at 21 (there are "ample assurances that BellSouth's performance data is reliable"). Likewise, "[i]t is the Louisiana Commission's opinion that BellSouth has sufficiently refuted . . . AT&T's allegations concerning the integrity of the performance data that BellSouth has filed and upon which it relies." *LPSC Evaluation* at 30.

Moreover, the state commissions have long provided mechanisms for CLECs to raise concerns about the accuracy of BellSouth's data. *See, e.g., GPSC Comments* at 133.

Yet it remains the case today that no CLEC has ever taken advantage of those mechanisms. *See Varner Supp. Aff.* ¶ 14. The fact that CLECs have never raised concerns with the state commissions in the appropriate manner bolsters BellSouth's showing that there is no substantial claim that its performance metrics are unreliable. *Cf. New York Order* ¶ 438 ("While commenters raise concerns about the details of a handful of specific metrics, we note that many of these issues are currently being considered in the ongoing . . . proceeding in New York.") (footnotes omitted).

Nor is there any reason to believe that BellSouth's data will not continue to be reliable. Both the GPSC and the LPSC have required annual audits for at least the next four years. *See Varner Supp. Aff.* ¶ 13. Additionally, BellSouth makes company-specific data available to each CLEC, so that they can confirm the accuracy of BellSouth's results. *See id.* ¶ 12; *Kansas/Oklahoma Order* ¶ 278 (noting that such a procedure "acts as an additional check on the accuracy"). CLECs, moreover, are free to raise data accuracy concerns during the pending performance measurement reviews that both the GPSC and LPSC are conducting. *See Varner Supp. Aff.* ¶ 15. For all these reasons, the Commission can be assured that BellSouth's data are – and will continue to be – accurate.

### **III. APPROVAL OF THIS APPLICATION IS STRONGLY IN THE PUBLIC INTEREST**

BellSouth's October 2001 application demonstrated that it meets the section 271 "public interest" standard. BellSouth showed, among other things, that consumers would save hundreds of millions of dollars every year if BellSouth's application was granted, and that BellSouth's self-effectuating enforcement mechanism ("SEEM") provided ample assurance that BellSouth would continue to meet its section 271 obligations. *See* October 2, 2001 Application at 149-60.

In response, a number of commenters encouraged the Commission to expand its public-interest standard to address the allegation that BellSouth has engaged in a “price squeeze” – *i.e.*, that its UNE rates, considered in connection with its residential retail rates, are too high to permit competitive entry. *See* AT&T Comments at 48-49, 80; Sprint Comments, CC Docket No. 01-277, at 14 (FCC filed Oct. 19, 2001). Although the Commission has previously characterized the price-squeeze claim as “irrelevant,” *see Kansas/Oklahoma Order* ¶ 92, the D.C. Circuit, on review of the Commission’s *Kansas/Oklahoma Order*, recently remanded this issue – without vacating the Commission’s order in that case – for additional explanation. *See Sprint Communications Corp. v. FCC*, No. 01-1076, 2001 WL 1657297 (D.C. Cir. Dec. 28, 2001). Accordingly, commenters likely again will invite the Commission to conclude that BellSouth is engaged in a price squeeze that should preclude its entry into long distance. For numerous reasons, the Commission should reject that invitation.

As an initial matter, the *Sprint* decision is limited by its terms to local markets that, “[i]n contrast to . . . New York and Texas,” are “characterized by relatively low volumes of residential competition.” *Sprint*, 2001 WL 1657297, at \*3. That threshold test for a price-squeeze claim is not met in either Georgia or Louisiana. In Georgia, CLECs serve between 8% and 11.1% percent of the residential market. *See Stockdale Supp. Aff.* Tables 1 & 2. That rate far exceeds the percentage in both Texas (3.8%<sup>23</sup>) and

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<sup>23</sup> *See* Affidavit of John S. Habeeb, *Application by SBC Communications Inc., et al., for Provision of In-Region InterLATA Services in Texas*, CC Docket No. 00-4, at 9, Table 2 (FCC filed Jan. 10, 2000). SBC’s Texas estimate, moreover, was achieved by multiplying trunks in service by 2.75, *see id.* ¶ 27, a more aggressive methodology than that employed by BellSouth, *see Wakeling Aff.* ¶ 9 & Attach. VW-16 (filed Oct. 2, 2001).



New York (3%<sup>24</sup>) at the time of those applications. And the 3.9% of the residential market served by CLECs in Louisiana – though not as extensive as in Georgia – likewise exceeds both Texas and New York. *See Stockdale Supp. Aff.* Tables 3 & 4. It is therefore clear that, with respect to this particular application, the *Sprint* decision in no way obligates the Commission to depart from its usual practice of rejecting the price-squeeze claim outright. *See, e.g., Massachusetts Order*<sup>25</sup> ¶¶ 41-42. The Commission need go no further to reject this argument.

In any event, even if it were true that Georgia or Louisiana were “characterized by relatively low volumes of residential competition,” the Commission should still reject the price-squeeze claim as a matter of law. Certainly, the *Sprint* decision leaves the Commission ample room to do so. It holds only that, in low-volume markets, the Commission must *either* “pursue the price-squeeze claim, *or at the very least explain why the public interest does not require it to do so.*” *Sprint*, 2001 WL 1657297, at \*3 (emphasis added). Accordingly, the Commission retains its well-established “substantial” discretion to define the “public interest” standard in section 271 to exclude any price-squeeze inquiry whatsoever in the section 271 context. *See, e.g., FCC v. WNCN Listeners Guild*, 450 U.S. 582, 596 (1981).

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<sup>24</sup> *See* Declaration of William E. Taylor, *Application by New York Telephone Company (d/b/a Bell Atlantic – New York), et al., for Provision of In-Region InterLATA Services in New York*, CC Docket No. 99-295, Attach. A, Table 3 (FCC filed Sept. 29, 1999) (estimating that CLECs served 236,500 residential lines); FCC, *ARMIS Database*, 43-08: Table III, Access Lines in Service by Customer (1999) at <http://gulfoss2.fcc.gov/cgi-bin/websql/prod/ccb/armis1/forms/43-08/frame3.htm>. (Verizon served approximately 7.7 million residential switched access lines as of the end of 1999).

<sup>25</sup> Memorandum Opinion and Order, *Application of Verizon New England Inc., et al., for Authorization To Provide In-Region InterLATA Services in Massachusetts*, 16 FCC Rcd 8988 (2001).

There are a number of reasons to do exactly that. First, and most fundamentally, the 1996 Act makes it *impossible* to engage in a price squeeze. As noted above, the price-squeeze claim is based on the theory that the UNE-platform is priced too high in relation to residential retail rates to permit competitive entry. But the 1996 Act permits CLECs other entry paths – including facilities-based interconnection, stand-alone UNEs, and resale. *See* 47 U.S.C. § 251(c)(2)-(4). To prevail on a price-squeeze claim, CLECs would have to establish that *all* of these entry paths are priced too high to permit competition. *See, e.g., Town of Concord v. Boston Edison Co.*, 915 F.2d 17 (1st Cir. 1990), *cert. denied*, 499 U.S. 931 (1991). Such a showing is impossible: sections 251(c)(4) and 252(d)(3) *guarantee* CLECs a discount off the incumbent LEC’s retail rate. In light of this guaranteed margin, it is utterly inconceivable that an incumbent LEC’s UNE pricing alone could “doom[] competitors to failure.” *Sprint*, 2001 WL 1657297, at \*3.

Even if it were possible under the Act to engage in a price squeeze, this would be the wrong context in which to challenge it. The crux of the price-squeeze claim is that BellSouth’s UNE rates, when considered in conjunction with its regulated residential retail rates, are a barrier to entry. But if the regulated retail rates established by state governmental authorities are a barrier to entry, the Commission has express statutory authority to review and, if necessary, preempt such barriers to entry. That authority is set out in section 253(a) of the Act, not section 271. Indeed, aside from post-entry enforcement authority, *see* 47 U.S.C. § 271(d)(6), section 271 provides the Commission with no remedial authority at all. It is inconceivable that Congress would have intended the Commission to examine a price-squeeze allegation under section 271 – which gives

the Commission no authority to act to address the alleged barrier to entry – when an alternative provision of the Act gives the Commission far-reaching authority to remedy the harm alleged.

In addition, the aim of proponents of the price-squeeze inquiry – to push UNE rates to the lowest point within the zone of reasonableness, *see Sprint*, 2001 WL 1657297, at \*4 – is in fact contrary to the Commission’s oft-stated goal of encouraging facilities-based competition. Where local competition is concerned, “the greatest benefits” to consumers “may be achieved through *facilities-based* competition.” Third Report and Order and Fourth Further Notice of Proposed Rulemaking, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, 15 FCC Rcd 3696, ¶ 5 (1999), *petitions for review pending*, *United States Telecom Ass’n v. FCC*, Nos. 00-1015 & 00-1025 (D.C. Cir.). Yet, low UNE rates necessarily diminish CLECs’ incentives to invest in their own facilities. *See* James Eisner, FCC, & Dale Lehman, Fort Lewis College, *Regulatory Behavior and Competitive Entry*, for presentation at the 14<sup>th</sup> Annual Western Conference Center for Research in Regulated Industries, June 28, 2001, at 2. They thereby limit the extent to which consumers realize those “benefits.” Accordingly, the outcome that proponents of the price-squeeze inquiry seek is exactly contrary to the public interest.

Moreover, any difficulty CLECs may have using UNEs to compete in high-cost areas is a problem entirely of their own making. As the Joint Supplemental Affidavit of John Ruscilli and Cynthia Cox explains, state commissions (including the Georgia and Louisiana Commissions) have historically set low residential rates, particularly in high-cost areas, in order to further universal service. *See Ruscilli/Cox Joint Supp. Aff.* ¶ 17. At

the same time, this Commission's geographic deaveraging rule – which was adopted at the urging of CLECs, *see id.* ¶ 18 – results in relatively low UNE costs in low-cost, urban zones, and relatively high UNE rates in high-cost areas. The net result, of course, is to make it easier to compete with UNEs in low-cost areas, and more difficult in high-cost areas. *See id.* ¶¶ 18-19. Having played such a vital role in the creation of this situation, CLECs should not now be heard to complain about it.

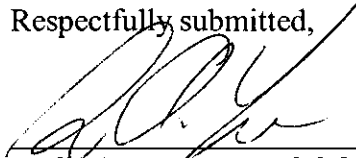
Finally, as a purely factual matter, the price-squeeze claim does not bear scrutiny. In response to BellSouth's initial application, AT&T claimed that it could not make a profit in Louisiana on an "average" customer that, it claimed, generated \$28.80 in revenue per month. *See AT&T Lieberman Decl.* ¶¶ 25-27, attached to AT&T Comments, CC Docket No. 01-277 (FCC filed Oct. 19, 2001). But that revenue figure does not include revenue for intraLATA toll or volume-based access charges. *See Ruscilli/Cox Supp. Aff.* ¶ 20. As AT&T's own witness candidly acknowledged in another proceeding, those intraLATA and access revenues must be considered in any realistic assessment of revenue generated by a customer: "The point is that consumers do not subscribe to phone service simply to make and receive local calls. . . . It is the expected revenues from the full basket of services associated with the loop and switch that is important to profitability." *Id.* ¶ 21 (quoting testimony of Joseph A. Gillan on behalf of AT&T, Docket No. U-20883-A (LPSC filed Jan. 9, 1998)). Once those "expected revenues" are properly taken into account, AT&T's own numbers reveal a margin of \$11.48 (on a statewide average basis). *Id.* ¶ 22. If AT&T is unable to compete with those margins, it should rethink its business plan, for the blame surely lies somewhere other than in BellSouth's UNE rates. In any event, AT&T has thus not even made a *prima facie* case

of a price squeeze, even if one were to assume (incorrectly) that UNEs provided the only way for AT&T to compete.

### CONCLUSION

For the foregoing reasons, and those stated in BellSouth's filings in CC Docket No. 01-277, this Application should be granted.

Respectfully submitted,



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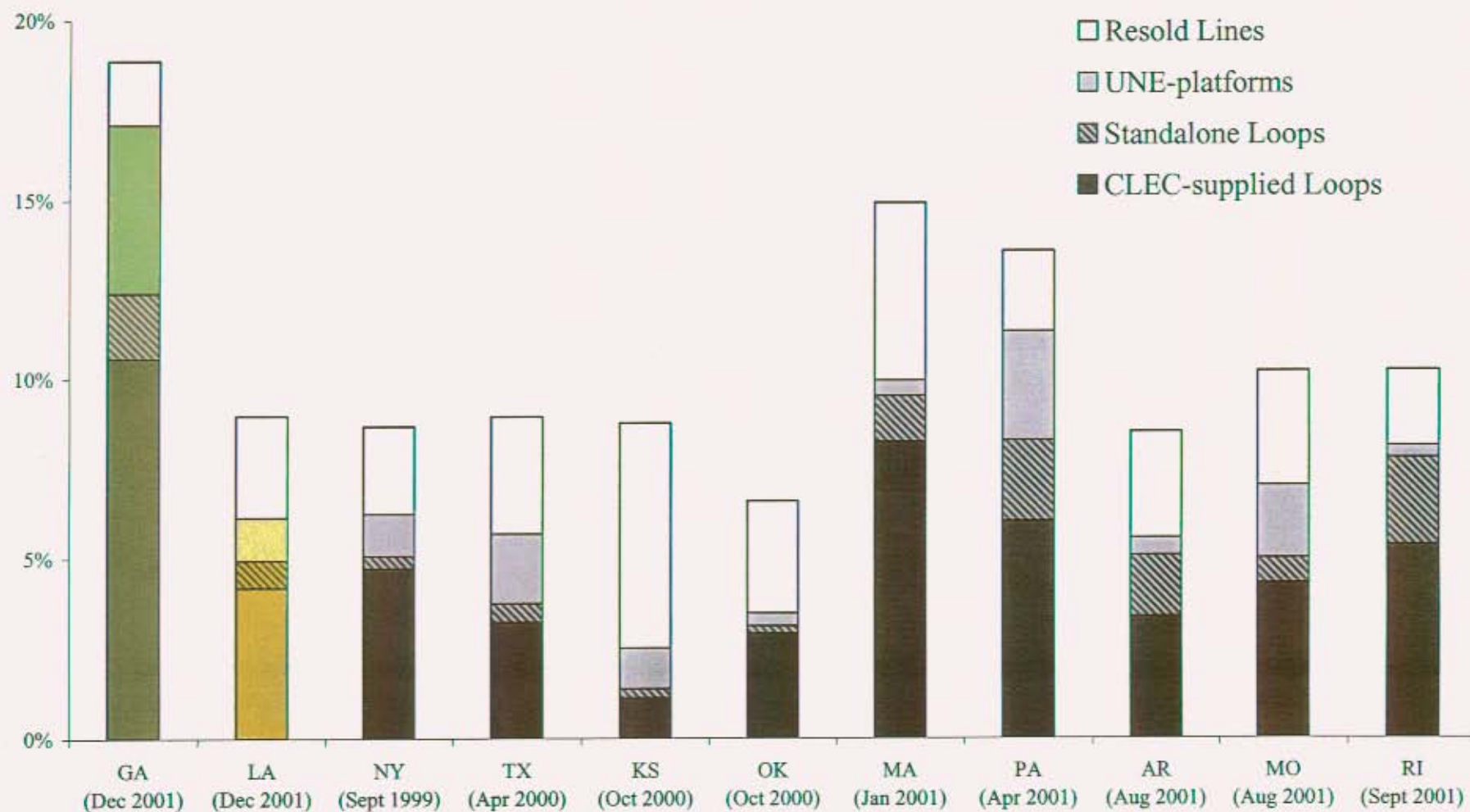
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February 14, 2002

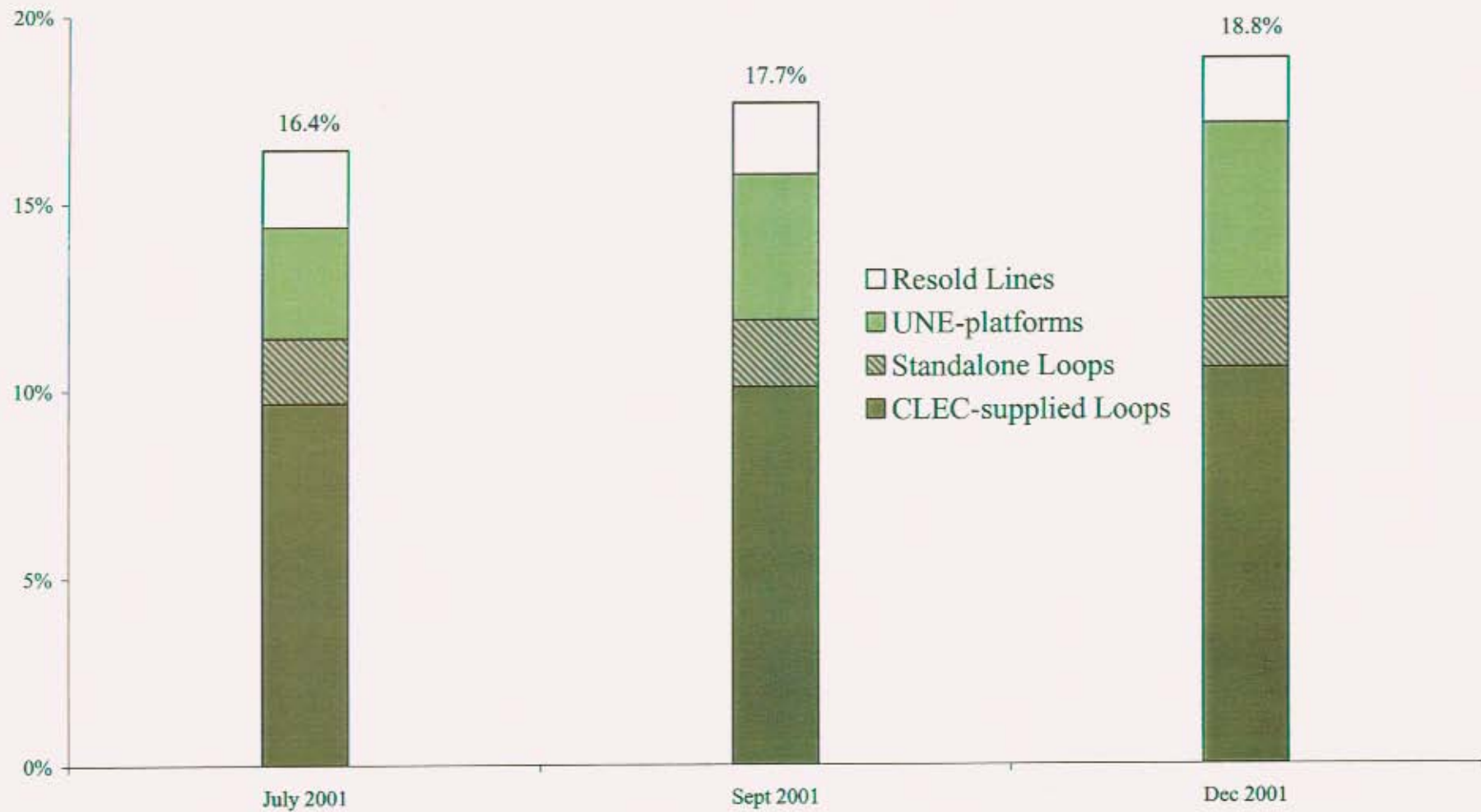
**A**

## CLEC Market Share: Georgia & Louisiana vs. 271 States



Sources: GA: Stockdale Supplemental Aff., Exs. 5 & 6; LA: Stockdale Supplemental Aff., Exs. 7 & 8; NY: Taylor Decl., Att. A; TX: Habeeb Supplemental Aff., Att. 1; KS: Smith-Johnson Aff., Att. 1; OK: Smith-Johnson Aff., Att. 1; MA: Supplemental Brief, Ex. 1; PA: Taylor Decl., Att. 1; AR: J.G. Smith Aff., Att. A; MO: Tebeau Aff., Att. A; RI: Local Competition in Rhode Island & Att. A.

## CLEC Market Share in Georgia: July through December 2001



Sources: July 2001: Wakeling Aff., Exs. 6, 8, 12 & 14; Sept. 2001: Stockdate Reply Aff., Exs. 2 & 3; Dec 2001: Stockdale Supplemental Aff., Exs. 5 & 6.



**B**

## REQUIRED STATEMENTS

Pursuant to the Commission's Public Notice, Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act, DA 01-734 (FCC rel. Mar. 23, 2001), BellSouth states as follows:

- (a) pages i-ii of this Supplemental Brief contain a table of contents;
- (b) pages 1-6 of this Supplemental Brief and pages 1-7 of the Brief accompanying the original application contain a concise summary of the substantive arguments presented;
- (c) pages 18-20 of the Brief accompanying the original application, contain statements identifying how BellSouth meets the requirements of section 271(c)(1); the table of contents of the Supplemental Interconnection Appendices for Georgia and Louisiana of this application and the tables of contents of Appendices B-GA and B-LA to the original application identify the agreements on which BellSouth relies in this joint application; Attachment 3 to the Brief accompanying the original application describes the status of federal-court challenges to the agreements pursuant to section 252(e)(6); that statement remains correct;
- (d) pages 8-17 of the Brief accompanying the original application, contain a statements summarizing the status and findings of the Georgia and Louisiana Public Service Commissions' proceedings examining BellSouth's compliance with section 271;
- (e) this Supplemental Brief and the Brief accompanying the original application contain the legal and factual arguments outlining how the three requirements of section 271(d)(3) have been met, and is supported as necessary with selected excerpts from the supporting documentation (with appropriate citations): pages 6-37 of this Supplemental Brief and pages 26-149 of the Brief accompanying the original application address the requirements of section 271(d)(3)(A); pages 160-167 of the Brief accompanying the original application address the requirements of section 271(d)(3)(B); pages 37-43 of this Supplemental Brief and pages 149-160 of the Brief accompanying the original application address the requirements of section 271(d)(3)(C);
- (f) Attachment C (separately bound) to this Supplemental Brief and Attachment 4 (separately bound) to the Brief accompanying the original application contain a list of all appendices (including affidavits) and the location of and subjects covered by each of those appendices;

- (g) Inquiries relating to access (subject to the terms of any applicable protective order) to any confidential information submitted by BellSouth in this joint application should be addressed to:

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Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.  
Sumner Square  
1615 M Street, N.W., Suite 400  
Washington, D.C. 20036-3209  
Telephone: (202) 367-7821

- (h) Anti-Drug Abuse Act certifications as required by 47 C.F.R. § 1.2002, and certifications signed by officers or duly authorized employees certifying that all information supplied in this joint application is true and accurate to the best of their information and belief are included as Attachment B to this Brief.
- (i) This Brief and its supporting affidavits as well as the Brief and its supporting affidavits accompanying the original application can be found at [www.bellsouthcorp.com/policy/271](http://www.bellsouthcorp.com/policy/271). This website is also identified on page 7 of the Brief accompanying the original application.



Jim O. Henvellyn

In the Matter of: )  
)  
Joint Application by BellSouth Corporation, )  
BellSouth Telecommunications, Inc., and )  
BellSouth Long Distance, Inc. for Provision of )  
In-Region, InterLATA Services in Georgia and )  
Louisiana )  
)  
)

*Shirley M. G.*

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Joint Application by BellSouth Corporation,  
BellSouth Telecommunications, Inc.,  
and BellSouth Long Distance, Inc. for  
Provision of In-Region, InterLATA Services  
in Georgia and Louisiana

CC Docket No. 02-35

**BRIEF IN SUPPORT OF APPLICATION BY BELL SOUTH FOR PROVISION  
OF IN-REGION, INTERLATA SERVICES IN GEORGIA AND LOUISIANA**

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**SUPPLEMENTAL BRIEF ATTACHMENT C**

**DETAILED INDEX OF APPENDICES**

**JOINT APPLICATION BY BELLSOUTH  
FOR PROVISION OF IN-REGION, INTERLATA  
SERVICES IN GEORGIA AND LOUISIANA**

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**JOINT APPLICATION BY BELLSOUTH  
FOR PROVISION OF IN-REGION, INTERLATA SERVICES  
IN GEORGIA AND LOUISIANA**

**SUPPLEMENTAL APPENDIX A  
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**Supplemental Affidavits**

<b>Tab</b>	<b>Description</b>
A	John A. Ruscilli and Cynthia K. Cox (Pricing)
B	David P. Scollard (Billing)
C	William N. Stacy, Alphonso J. Varner, and Ken L. Ainsworth (OSS Issues)
D	Elizabeth Stockdale (Competition)
E	Alphonso J. Varner (Metric Reliability and Performance)
F	Thomas G. Williams (Line Sharing and Line Splitting)

**JOINT APPLICATION BY BELL SOUTH  
FOR PROVISION OF IN-REGION, INTERLATA SERVICES  
IN GEORGIA AND LOUISIANA**

**SUPPLEMENTAL APPENDIX – GEORGIA  
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**Selected Portions of the Record of the  
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1	1	09/27/01	PSC's Staff Recommendation (Docket Nos. 6863-U, 7253-U and 8354-U)
1	2	09/27/01	BellSouth's Response to AT&T's Petition for Investigation into BellSouth's Conduct in Processing CLEC Orders and Retiring Key OSS Systems (Docket Nos. 6863-U and 8354-U)
1	3	09/28/01	AT&T/Teleport/AT&T Broadband Supplemental Affidavit of Sharon Norris (Docket No. 6863-U)
1	4	09/28/01	CTAG's Letter to PSC Supporting Staff's Recommendation and Requesting that the PSC Withhold Approval of BellSouth's Application (Docket Nos. 6863-U and 8354-U)
1	5	10/01/01	BellSouth's Letter to PSC re. Staff's Recommendation (Docket No. 6863-U)
1	6	10/01/01	CUCD's Letter to PSC Supporting Staff's Recommendation (Docket No. 6863-U)
1	7	10/04/01	PSC's Order in Response to Motions for Clarification, Reconsideration, and Stay (Docket No. 11900-U)
1	8	10/09/01	BellSouth's SQM Percent Flow Through Service Requests (Summary), Percent Flow Through Service Requests (Detail), Percent Flow Through Service Requests (Fatal Rejects), and Flow Through Error Analysis Report for August 2001 (Docket No. 7892-U)
1	9	10/10/01	BellSouth's SQM Reports for August 2001 Inadvertently Omitted from BellSouth's 10/01/01 Filing (Docket No. 7892-U)
1	10	10/12/01	US LEC's Response re. Performance Measures (Docket No. 7892-U)
1	11	10/12/01	BellSouth's Revised MSS Report and SQM Reports for "Average Response Interval" and "LNP Products" for August 2001 (Docket No. 7892-U)
1	12	10/12/01	Birch Telecom's Proposed Changes to the Georgia SQM (Docket No. 7892-U)
2	13	10/15/01	BellSouth's Revised MSS and SQM Reports for June and July 2001 (Docket No. 7892-U)

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2	14	10/19/01	PSC's Order Finding that BellSouth Has Met Track A and the 14-Point Checklist Items (Docket Nos. 6863-U, 7253-U, and 8354-U)
2	15	10/25/01	PSC's Order on BellSouth's Motions To Modify Service Quality Measurements (Docket No. 7892-U)
2	16	10/31/01	BellSouth's Second Notice of Filing Corrective Action Plans (Docket No. 7892-U)
2	17	11/01/01	BellSouth's MSS and SQM Reports for September 2001, Revised Pages for the July and August MSS and Revised Flow Through Service Requests (Summary) and Percent Flow Through Service Requests (Detail) SQM Reports for July and August 2001 (Docket No. 7892-U)
3	18	11/02/01	BellSouth's MSS Report for September 2001 (Docket No. 7892-U)
3	19	11/02/01	BellSouth's OSS Testing (Birmingham) Interim Status Report and BellSouth OSS Testing Interim Status Report - MTP/STP Activities (Docket No. 8354-U)
3	20	11/05/01	BellSouth's Letter to PSC re. Implementation of TN Migration (Docket Nos. 6863-U and 7253-U, and 8354-U)
3	21	11/08/01	BellSouth's Performance Data and Penalty Calculations for September 2001 under the Four Local Number Portability Measures Evaluated by the Commission Consistent with its 08/07/01 Decision (Docket No. 7892-U)
3	22	11/13/01	PSC's Reply Comments (Docket Nos. 6863-U and 7253-U)
3	23	11/26/01	BellSouth's Letter to PSC re. Status of the Efforts of BellSouth To Comply with the Commission's Order Dated 10/19/01 (Docket Nos. 6863-U, 7253-U, and 8354-U)
3	24	12/04/01	BellSouth's Attachments to SQM Workshop dated 12/04/01 (Docket No. 7892-U)
3	25	12/04/01	BellSouth's Comments re. Performance Measurements for Special Access Services and Response to BellSouth's Action Items from the PSC's Performance Measurements Workshop (Docket No. 7892-U)
3	26	12/04/01	CLEC Coalition's Comments (Docket No. 7892-U)
3	27	12/04/01	US LEC's Comments re. Special Access Metrics (Docket No. 7892-U)
3	28	12/04/01	WorldCom's Comments re. Special Access Metrics (Docket No. 7892-U)
3	29	12/04/01	Time Warner and e.spire's Comments re. Special Access Metrics (Docket No. 7892-U)
3	30	12/21/01	Time Warner and e.spire's "Top Ten" Proposed Special Access Performance Measurements (Docket No. 7892-U)
4	31	01/04/02	BellSouth's SQM Data for November 2001 (Docket No. 7892-U)
4	32	01/11/02	CLEC Coalition's Comments (Docket No. 7892-U)
4	33	01/11/02	Time Warner and e.spire's Revised "Top Ten" Proposed Special Access Performance Measurements (Docket No. 7892-U)
4	34	01/11/02	BellSouth's Responses to SQM Workshop Action Items (Docket No. 7892-U)

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4	35	01/11/02	BellSouth's Letter to the PSC re. Interplay between the P-13 Measures and Applicable Remedy Payments (Docket No. 7892-U)
4	36	01/23/02	BST's Letter to the PSC re. Service Order Accuracy (Docket No. 7892-U)
4	37	01/25/02	BST SQM Plan, OSS-2, OSS-3 and CM-6 through CM-8 (Docket No. 7892-U)
4	38	01/28/02	AT&T's Letter to BellSouth re. PMAP Issues (Docket No. 7892-U)
4	39	01/29/02	WorldCom's Notice of Filing of Special Access Metrics (Docket No. 7892-U)
4	40	01/30/02	CLEC Coalition's Red-Lined Version of the Change Control Process Document and Comments (Docket No. 7892-U)
4	41	01/31/02	Time Warner and e.spire's Letter to the PSC re. ILEC Performance Measurements and Standards (Docket No. 7892-U)
5	42	01/31/02	BellSouth's MSS Report and SQM Data for December 2001 (Docket No. 7892-U)
5	43	02/01/02	BellSouth's Third Notice of Filing Corrective Action Plans (Docket No. 7892-U)
5	44	02/01/02	BellSouth's Letter to the PSC re. Revisions to Measure P-11 (Service Order Accuracy) (Docket No. 7892-U)
5	45	02/01/02	BellSouth's Response to Worldcom's Petition To Address OSS, Change Management and Data Integrity Issues (Docket No. 6863-U)
5	46	02/11/02	BellSouth's OSS Testing Audit I, II, II Interim Status Report, Audit II Chart Replication Status Summary, Audit III Replication Issues, Audit III Data Integrity Summary, Audit III Standards Status Summary, Audit III Chart Replication Status, Audit III 271Charts by Metrics Status Summary, Audit III Chart Replication Issue Log, and Audit III SQMs by Metrics Status Summary (Docket No. 8354-U)

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1	2	10/16/01	Xspedius' Comments (Docket No. U-22252-C)
1	3	10/16/01	WorldCom/AT&T Initial Comments (Docket No. U-22252-C)
1	4	10/22/01	BellSouth's Remedy Report in Compliance with General Order Dated 05/14/01 and LPSC Notice and Procedural Schedule Dated 10/08/01 (Docket No. U-22252-C)
1	5	11/02/01	BellSouth's Comments re. Penalties Related to Fully Parsed CSR and Two Order Process (Docket No. U-22252-C)
1	6	11/02/01	AT&T's Comments (Docket No. U-22252-C)
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1	8	11/02/01	Access' Comments (Docket No. U-22252-C)
1	9	11/07/01	BellSouth's Reply Comments re. Penalties Related to Fully Parsed CSR and Two Order Process (Docket No. U-22252-C)
1	10	11/07/01	BellSouth's Response to 10/24/01 Workshop Action Item No. 1 – Red-lined Service Quality Measurement Plan (Docket No. U-22252-C)
1	11	11/07/01	KMC's Reply Comments (Docket No. U-22252-C)
1	12	11/07/01	Access' Reply Comments re. Penalties (Docket No. U-22252-C)
1	13	11/07/01	Xspedius' Reply Comments re. Penalties (Docket No. U-22252-C)
1	14	11/13/01	BellSouth's Summary of Staff/CLEC Issues and BellSouth Action Items (Docket No. U-22252-C)
2	15	11/16/01	BellSouth's Responses to Action Items Nos. 3, 11, 12, and 14 (Docket No. U-22252-C)
3	16	11/16/01	BellSouth's Tier 1 and 2 Remedy Reports for 07/01 and 08/01 (Docket No. U-22252-C)
3	17	11/16/01	LPSC Staff's Final Recommendation on Penalties re. Fully Parsed CSRs (Docket No. U-22252-C)
3	18	11/28/01	BellSouth's Updated Summary of Action Item List and Responses to Items No. 2 and 4 through 9 (Docket No. U-22252-C)
4	19	11/30/01	BellSouth's Updated Summary of Action Item List and Responses to Items 10 and 15 (Docket No. U-22252-C)

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4	20	12/03/01	LPSC's Notice of Opportunity To File Comments on Master Test Plan (Docket No. U-22252-C)
4	21	12/03/01	BellSouth's Motion To Modify Service Quality Measurements (LNP) (Docket No. U-22252-C)
4	22	12/07/01	BellSouth's Updated Summary of Action Item List and Response to Item No. 15 (Docket No. U-22252-C)
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4	25	12/20/01	BellSouth's Reply to CLECs' Comments (Docket No. U-22252-C)
4	26	12/28/01	BellSouth's Comments on Audit Master Test Plan (Docket No. U-22252-C)
4	27	01/02/02	LPSC's Notice and Agenda for January Workshops (Docket No. U-22252-C)
4	28	01/02/02	WorldCom's Comments on KPMG's Master Test Plan (Docket No. U-22252-C)
4	29	01/22/02	BellSouth's Response to WorldCom's Comments re. KPMG's Performance Measurement Audit and Master Test Plan (Docket No. U-22252-C)
4	30	01/22/02	Cox's Response to Staff's Request for Information re. 911 Unlock Records (Docket No. U-22252-C)
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4	32	01/24/02	NewSouth's Opposition to BellSouth's Motion To Modify Service Quality Measurements (Docket No. U-22252-C)
4	33	01/24/02	WorldCom/AT&T Reply to BellSouth's Motion To Modify Service Quality Measurements (Docket No. U-22252-C)
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4	35	01/31/02	BellSouth's Reply Comments to Motion To Modify LNP Service Quality Measurements (Docket No. U-22252-C)
4	36	02/04/02	BellSouth's Affidavit of W. Stacy re. Parsed CSRs (Docket No. U-22252-C)

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